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Attorneys for Defendant
THE TIMBERLAND COMPANY
(Correctly named and identified as Timberland Retail, Inc.)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID LEE, an individual, on behalf of
himself and on behalf of others similarly
situated,,

Plaintiffs,

v.

THE TIMBERLAND COMPANY, a New
Hampshire corporation conducting business
in the State of California, and Does 1-100,

Defendants.

Case No. C07 02367 HRL

Date: To Be Set
Time: To Be Set
Judge: Unknown

**REQUEST TO APPEAR VIA
TELEPHONE FOR CASE
MANAGEMENT CONFERENCE**

Counsel for Defendant, THE TIMBERLAND COMPANY, respectfully requests to appear via
telephone for the Case Management Conference scheduled for January 18, 2008 in this matter.

Counsel may be reached at (415) 765-9569. Counsel is directed to contact Court Call to arrange for hearing.
Court Call can be reached at 866-582-6878.

Dated: January 14, 2008

AKIN GUMP STRAUSS HAUER & FELD LLP

By Fraser A. McAlpine
Fraser A. McAlpine

Attorneys for Defendant
THE TIMBERLAND COMPANY
(Correctly named and identified as
Timberland Retail, Inc.)

1/15/08 IT IS SO ORDERED BY: Judge Jeremy Fogel, US District Court.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 580 California Street, Suite 1500, San Francisco, California 94104. On January 14, 2008, I served the foregoing document(s) described as: **REQUEST TO APPEAR VIA TELEPHONE FOR CASE MANAGEMENT CONFERENCE** on the interested party(ies) below, using the following means:

Stephen B. Morris
Mark C. Hinkley
MORRIS AND ASSOCIATES
444 West C Street, Suite 300
San Diego, California 92101

Walter Haines
UNITED EMPLOYEES LAW GROUP
65 Pine Avenue, #312
Long Beach, CA 90802

☒ BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid at San Francisco, California.

☐ BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ BY MESSENGER SERVICE I served the documents by placing them in an envelope or package addressed to the respective address(es) of the party(ies) stated above and providing them to a professional messenger service for service.

☐ BY FAX Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the respective fax number(s) of the party(ies) as stated above. No error was reported by the fax machine that I used. A copy of the record of the fax transmission(s), which I printed out, is attached.

☐ BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 14, 2008, at San Francisco, California.

HOLLY B. TOSCHI

[Print Name of Person Executing Proof]

[Signature]